

United States District Court**for the****Eastern District of Washington**FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Jul 25, 2025**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Gary Lee Day, II

Case Number: 0980 2:18CR00158-RLP-1

Address of Offender: [REDACTED] Spokane Valley, Washington 99206

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Rebecca L. Pennell, U.S. District Judge

Date of Original Sentence: August 7, 2019

Original Offense: Crime on Indian Reservation, Assault Resulting in Serious Bodily Injury,
18 U.S.C. §§ 113 (a)(6) and 1153Original Sentence: Prison - 50 months Type of Supervision: Supervised Release
TSR - 36 monthsRevocation Sentence: Prison - 6 months
(January 19, 2024) TSR - 30 months

Asst. U.S. Attorney: Earl Allan Hicks Date Supervision Commenced: June 12, 2024

Defense Attorney: Federal Defenders Office Date Supervision Expires: December 11, 2026

PETITIONING THE COURT

To issue a **warrant** and incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 07/09/2025.

Mr. Day's conditions of supervised release were reviewed with him on June 20, 2024, and he acknowledged an understanding of the terms and conditions of his supervised release.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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5

Special Condition #5: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: It is alleged that Mr. Day is in violation of his conditions of supervised release by using fentanyl on or about July 7, 2025.

On July 25, 2025, the undersigned received notification from Pioneer Center East staff that Mr. Day was being unsuccessfully discharged from inpatient treatment for reasons to include him bringing fentanyl into their facility and using this substance on or about July 7, 2025. On July 25, 2025, the undersigned spoke with Mr. Day via telephone and he admitted to using fentanyl he found in his sock on or about July 7, 2025.

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Re: Day, Gary Lee
July 25, 2025
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The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court, and that the Court issue a warrant.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: July 25, 2025

s/Jonathan C. Bot

Jonathan C. Bot
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer
July 25, 2025

Date